

PATENT  
Docket No.: 151-P-08035US01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**OFFICIAL**

In re Application of:  
Kevin J. Kelly et al

Serial No.: 09/364,967  
Filed: July 31, 1999  
For: DEVICE AND METHOD FOR  
DETERMINING AND  
COMMUNICATING THE  
REMAINING LIFE OF A BATTERY  
IN AN IMPLANTABLE  
NEUROLOGICAL TISSUE  
STIMULATING DEVICE

Group Art 2857  
Unit:

Examiner: Tsai, Carol S. W.

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JUL 20 2004

**RESPONSE AFTER FINAL**


*Commissioner for Patents*  
*P.O. Box 1450*  
*Alexandria, VA 2231-1450*

In response to an Office Action, made FINAL, mailed May 20, 2004, carrying a shortened statutory period of response which is currently set to expire on August 20, 2004, please consider the following remarks:

The Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.

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**JUL 23 2004**  
**TC 1700**

| Certificate of Facsimile Transmission                                                                                                                                                                                |                                                                                                |
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| To Facsimile Number                                                                                                                                                                                                  | Signature  |
| Date <u>July 20, 2004</u>                                                                                                                                                                                            | William D. Bauer<br>Reg. No. 28,052                                                            |

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# OFFICIAL

## PATENT

### FACSIMILE TRANSMITTAL LETTER

| Attorney Docket No. | Serial No. |
|---------------------|------------|
| 151P08035US01       | 10/364,967 |

MS: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TOTAL NO. OF PAGES: 17



Sent to Facsimile No.: 703-872-9306

Examiner Phone No.: 571-272-2224

|                                                                    |                                                                                                                                              |           |            |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|
| In re Application of:                                              | Kevin J. Kelly et al.                                                                                                                        |           |            |
| Serial No.:                                                        | 00/364,967                                                                                                                                   | Examiner: | Carol Tsai |
| Confirmation No.:                                                  | 1149                                                                                                                                         | Art Unit: | 2857       |
| Filed:                                                             | July 31, 1999                                                                                                                                |           |            |
| For:                                                               | DEVICE AND METHOD FOR DETERMINING AND COMMUNICATING THE REMAINING LIFE OF A BATTERY IN AN IMPLANTABLE NEUROLOGICAL TISSUE STIMULATING DEVICE |           |            |
| We are transmitting the following documents:                       |                                                                                                                                              |           |            |
| Facsimile Transmittal Letter [1 page]                              |                                                                                                                                              |           |            |
| Response After Final [16 pages]                                    |                                                                                                                                              |           |            |
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Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectfully submitted,

|                                                                                                                                                                                                                                                                                                                                                                                                         |                             |                                                                                                          |                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Registration No.<br>28,052                                                                                                                                                                                                                                                                                                                                                                              | Direct Dial<br>612-331-7405 | <br>William D. Bauer | <b>RECEIVED</b><br><b>JUL 23 2004</b><br><b>TC 1700</b> |
| Date: July 20, 2004                                                                                                                                                                                                                                                                                                                                                                                     |                             |                                                                                                          |                                                         |
| United States Patent and Trademark Office<br>Customer No. 23322                                                                                                                                                                                                                                                                                                                                         |                             |                                                                                                          |                                                         |
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| To Facsimile Number<br>703-872-9306                                                                                                                                                                                                                                                                                                                                                                     |                             | Signature<br>        |                                                         |
| Date<br>July 20, 2004                                                                                                                                                                                                                                                                                                                                                                                   |                             | Printed Name<br>William D. Bauer                                                                         |                                                         |
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